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10 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF CALIFORNIA

11 David Torrez, } Case No. 1:21-cv-00671-BAK
12 Plaintiff, } STIPULATION AND [PROPOSED]
13 } ORDER FOR EXTENSION OF
14 vs. } TIME
15 Kilolo Kijakazi, Acting }
16 Commissioner of Social Security, }
17 Defendant. }
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21 IT IS HEREBY STIPULATED, by and between the parties through their
22 respective counsel of record, with the Court's approval, that Plaintiff shall have a
23 50-day extension of time, from September 12, 2022 to November 1, 2022, for
24 Plaintiff to serve on defendant with Plaintiff's Motion for Summary Judgment. All
25 other dates in the Court's Scheduling Order shall be extended accordingly.

26 This is Plaintiff's second request for an extension of time. In the months of
27 May through July 21, 2022, Counsel received an influx of Social Security Certified
28 Administrative Records (CAR). A review of the records received shows Counsel

has received at least 50 CARs, the majority of which were filed in June 2022. This has caused an unusually large number of cases that have merit briefs due in the months of August and September. For the weeks of September 12, 2022 and September 19, 2022, Counsel currently has 10 merit briefs, and several letter briefs and reply briefs. Additional time is needed to thoroughly brief this matter for the Court.

Lastly, as previously reported, Counsel for Plaintiff underwent major orthopedic surgery in March 2022, requiring significant physical therapy. This has required Plaintiff's counsel to take time off during the work week and work months since then. Although much improved, Counsel still participates in regular physical therapy two to three times per week.

Defendant does not oppose the requested extension. Counsel apologizes to the Defendant and Court for any inconvenience this may cause.

Respectfully submitted,

Dated: September 6, 2022 PENA & BROMBERG, ATTORNEYS AT LAW

By: /s/ Jonathan Omar Pena
JONATHAN OMAR PENA
Attorneys for Plaintiff

Dated: September 6, 2022 PHILLIP A. TALBERT
United States Attorney
PETER K. THOMPSON
Acting Regional Chief Counsel, Region IX
Social Security Administration

By: *s/ Margaret Lehrkind
Margaret Lehrkind

Special Assistant United States Attorney
Attorneys for Defendant
(*As authorized by email on September 6, 2022)

ORDER

Pursuant to stipulation,

IT IS SO ORDERED.

Dated: September 10, 2022

/s/ Gary S. Austin

UNITED STATES MAGISTRATE JUDGE